

**RULES
OF
TENNESSEE HIGHER EDUCATION COMMISSION**

**CHAPTER 1540-1-9
IMMUNIZATIONS FOR NEWLY MATRICULATING STUDENTS**

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1540-1-9-.01 DEFINITIONS.

- (1) “New incoming students” or “student” for the purpose of this chapter shall mean those students enrolling in an institution of higher learning for the first time, regardless of the level at which the student is matriculating. Additionally, the terms shall apply only to persons enrolled in a course or courses offered for college credit toward an associates degree or higher.
- (2) “Institution of higher learning” for the purposes of this chapter shall mean any institution of postsecondary education that generally limits enrollment to graduates of secondary schools, and awards degrees at either the associate, baccalaureate, or graduate level. It is the intent that the Tennessee Technology Centers operating under the jurisdiction of the Tennessee Board of Regents would be among the institutions exempt from the requirements of these rules.

Authority: Acts of 2003; Public Chapters 104 and 136. **Administrative History:** Original rule filed August 14, 2003; effective December 29, 2003.

1540-1-9-.02 NOTICE OF INFORMATION.

- (1) Each institution of higher learning in the state shall provide to all new incoming students, and/or the parent or guardian of new incoming students, information concerning hepatitis B disease. All new incoming students who will be living in on-campus student housing, and/or their parent or guardian, shall also be given information concerning meningococcal disease. In each instance, the information shall be provided to the student and/or parent or guardian prior to matriculation and include the risk factors and dangers of each disease as well as information on the availability and effectiveness of the respective vaccines for persons who are at-risk for the diseases. The institutions shall utilize information from the Centers for Disease Control and/or the American College Health Association in satisfying this requirement.
- (2) Information on both hepatitis B and meningococcal disease may be included in the same notice.

Authority: Acts of 2003; Public Chapters 104 and 136. **Administrative History:** Original rule filed August 14, 2003; effective December 29, 2003.

1540-1-9-.03 WAIVER.

- (1) Prior to matriculating into the institution, the new incoming student and/or the student’s parent or guardian shall complete and sign a waiver form to indicate that the student and/or the student’s parent or guardian has received the information required by Rule 1540-1-9-.02 and has chosen to have the student vaccinated or has not chosen to have the student vaccinated.
- (2) The waiver may be part of the information document required by Rule 1540-1-9-.02.

(Rule 1540-1-9-.03, continued)

- (3) A student who is eighteen (18) years of age may sign the waiver, but for minors, the student's parent or guardian must sign the waiver.
- (4) The institution shall maintain the signed waiver forms in a manner and location consistent with the maintenance of similar confidential education records.

Authority: Acts of 2003; Public Chapters 104 and 136. **Administrative History:** Original rule filed August 14, 2003; effective December 29, 2003.